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PTO/SB/29 (2/98)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing  
(only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable  
☐ DUPLICATE

<b>Address to:</b>  Asst. Commissioner of Patents Box CPA Washington, D.C. 20231	Attorney Docket No.	CSI1260-1
	First Named Inventor	Scholten, et al.
	Examiner Name	W. Wayner
	Group / Art Unit	3744
	Express Mail Label No.	EL860530665US

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MAY - 6 2002

TECHNOLOGY CENTER R3700

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number **09/379,239** filed on **August 23, 1999**, entitled **"Variable Air Volume Environmental Management System Including a Fuzzy Logic Control System"**. Please utilize the file jacket and contents of the prior application, including the specification, drawings and oath and declaration from the prior application.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

- ☒ Enter the unentered amendment and accompanying Terminal Disclaimer previously filed on April 1, 2002 under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4)
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- ☐ Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS citations

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[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231

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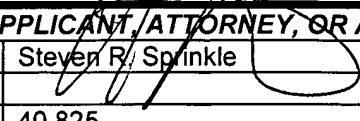
CLAIMS	FOR	NUMBER FILED IN CPA	HIGHEST NO. PREVIOUSLY PAID FOR	NUMBER EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))		20		x 18	\$ .00
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))		3	0	x 84	\$ .00
				BASIC FEE Large Entity \$740.00		\$740.00
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =		\$740.00

6. Small Entity Status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.  
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is proper.  
c. ☐ Is no longer claimed.
7. ☒ The Commissioner is hereby authorized to credit any overpayments or charge any deficiency relating to the within matter to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich.  
a. ☒ Fees required under 37 C.F.R. § 1.16.  
b. ☒ Fees required under 37 C.F.R. § 1.17.  
c. ☒ Fees required under 37 C.F.R. § 1.18.
8. ☒ A check in the amount of \$740.00 is enclosed.
9. ☐ New Attorney Docket Number, if desired  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
10. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
11. ☐ Other: Associate Power of Attorney
12. ☐ Other: Fourteen pages of formal drawings

**NOTE** The Prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS			
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		or <input type="checkbox"/> New correspondence address below (Insert Customer No. or Attach bar code label here)	
NAME	Gray Cary Ware & Freidenrich LLP		
ADDRESS	1221 South MoPac Expressway, Suite 400		
CITY	Austin	COUNTRY	USA
STATE	Texas	TELEPHONE	512.457.7000
ZIP	78746-6875	FAX	512.457.7001

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (print / type)	Steven R. Sprinkle
Signature	
Registration No.	40,825
Date	April 30, 2002

[Page 2 of 2]



05-01-02

CPA/24  
37  
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Scholten, et al.

Date Filed:

April 30, 2002

Title:

**VARIABLE AIR VOLUME ENVIRONMENTAL MANAGEMENT  
SYSTEM INCLUDING A FUZZY LOGIC CONTROL SYSTEM**

**BOX PATENT APPLICATIONS**

Hon. Asst. Commissioner of Patents

Washington, D.C. 20231

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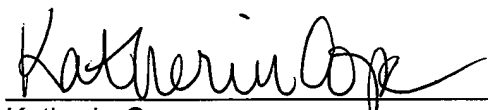
MAY - 6 2002

TECHNOLOGY CENTER R3700

Dear Sir:

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that the attached Continued Prosecution Application (CPA) Request Transmittal, Check and Postcard are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 30<sup>th</sup> day of April, 2002, and is addressed to **Box Patent Applications**, Assistant Commissioner of Patents, Washington, D.C. 20231.

  
Katherin Cope

Express Mail Receipt No.:

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Attorney's Docket:

CSI1260-1

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